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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 UNITED STATES OF AMERICA,

12 Respondent,

No. CR S-97-0574 GEB DAD P

13 vs.

14 ABDEL RAZZAQ M. DAAS,

15 Movant.

ORDER

16 \_\_\_\_\_/  
17 Movant, a federal prisoner proceeding through counsel,  
18 has filed a motion to vacate, set aside or correct his sentence  
19 pursuant to 28 U.S.C. § 2255. The matter was referred to a  
20 United States Magistrate Judge for further proceedings.

21 On June 20, 2005, the magistrate judge filed findings  
22 and recommendations herein which were served on all parties and  
23 which contained notice to all parties that any objections to the  
24 findings and recommendations were to be filed within ten court  
25 days. Neither party has filed objections to the findings and  
26 recommendations.

1           The court has reviewed the file and finds the findings  
2 and recommendations to be supported by the record and by the  
3 magistrate judge's analysis.

4           Accordingly, IT IS HEREBY ORDERED that:

5           1. The findings and recommendations filed June 20,  
6 2005, are adopted in full;

7           2. Respondent's March 16, 2005 motion to dismiss is  
8 granted;

9           3. Movant's December 22, 2004 motion pursuant to 28  
10 U.S.C. § 2255 to vacate, set aside or correct sentence is  
11 dismissed; and

12           4. The Clerk of the Court is directed to close the  
13 companion civil case, No. CIV. S-04-2688 GEB.

14 Dated: July 18, 2005

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16                               /s/ Garland E. Burrell, Jr.  
17                               GARLAND E. BURRELL, JR.  
                                 United States District Judge  
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